

Message Text

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15

ORIGIN IO-10

INFO OCT-01 ISO-00 L-03 DHA-02 CIAE-00 DODE-00 PM-04 H-02

INR-07 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 AF-06 ARA-06 EA-07 EUR-12 NEA-10 ACDA-05

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D/HA:RPALMER (SUBS)

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FM SECSTATE WASHDC

TO USMISSION USUN NEW YORK PRIORITY

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E.O. 11652: N/A

TAGS: UNGA, SHUM, SOCI, SGEN, SREF

SUBJECT: THIRD COMMITTEE--DUTCH RESOLUTION ON TORTURE

REF: USUN 6092

1. USDEL AUTHORIZED TO CO-SPONSOR DUTCH RES ON TORTURE
AS TRANSMITTED REFTEL.

2. IN STATEMENT WHICH USDEL DELIVERS IN THIRD COMMITTEE
UNDER TORTURE ITEM, SECRETARY'S PROPOSALS ON TORTURE, AS
STATED IN HIS UNGA ADDRESS ON SEPTEMBER 22, SHOULD BE
COVERED AS FOLLOWS:

THE COMMITTEE WILL RECALL THAT IN HIS ADDRESS BEFORE THIS
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ASSEMBLY ON SEPTEMBER 22 THE SECRETARY OF STATE MADE

SPECIAL REFERENCE TO THE PERSISTENT AND SERIOUS PROBLEM OF TORTURE. HE URGED THE ASSEMBLY TO ADOPT THE DRAFT DECLARATION ON PROTECTION OF ALL PERSONS FROM BEING SUBJECTED TO TORTURE, AS RECOMMENDED BY THE FIFTH UN CONGRESS ON THE PREVENTION OF CRIME AND THE TREATMENT OF OFFENDERS. HE ALSO PROPOSED THAT THIS ASSEMBLY GO FURTHER IN THE FIELD OF IMPLEMENTATION AND HE SUGGESTED THAT A GROUP OF EXPERTS BE APPOINTED BY THE SECRETARY-GENERAL TO STUDY THE NATURE AND EXTENT OF TORTURE IN THE WORLD TODAY AND TO REPORT BACK TO THE NEXT ASSEMBLY.

MY DELEGATION IS EXTREMELY SATISFIED THAT WE HAVE BEEN ABLE TO ADOPT THE DECLARATION RECOMMENDED TO US BY THE FIFTH UN CONGRESS ON CRIME PREVENTION. THIS IS A STEP OF MAJOR IMPORTANCE AND, IN OUR JUDGMENT, IS AN ACCOMPLISHMENT WHICH FULLY REFLECTS THE SERIOUSNESS OF THE TORTURE PROBLEM AND OUR DETERMINATION TO DO SOMETHING ABOUT IT. THE DECLARATION COMPLEMENTS THE COMPLETE AND UNCONDITIONAL PROHIBITION AGAINST TORTURE WHICH APPEARS IN THE UNIVERSAL DECLARATION OF HUMAN RIGHTS AND IN THE COVENANT ON CIVIL AND POLITICAL RIGHTS. THERE CAN BE NO POSSIBLE LOOPHOLE THROUGH WHICH GOVERNMENTAL AUTHORITIES RESPONSIBLE FOR TORTURE CAN ESCAPE THE CONDEMNATION THEY DESERVE.

IN OUR VIEW, HOWEVER, THE DRAFTING OF TEXTS IS ONLY A PART OF THE EFFORT WHICH THE UNITED NATIONS MUST PURSUE TO COMBAT THE TORTURE PROBLEM. MY DELEGATION HAD HOPED THAT THIS COMMITTEE MIGHT HAVE ACCOMPLISHED SOMETHING IN THE AREA OF IMPLEMENTATION. WE HAVE HAD TO FACE UP TO THE UNESCAPABLE FACTOR OF TIME AND HAVE HAD TO CONCLUDE THAT THIS COMMITTEE WOULD NOT BE ABLE TO GIVE ADEQUATE TIME TO A FURTHER, MAJOR PROPOSAL IN THE IMPLEMENTATION AREA. WE INTEND TO PURSUE THIS MATTER, PERHAPS IN OTHER HUMAN RIGHTS FORUMS, AS WELL AS AGAIN IN THIS ASSEMBLY. WE WILL BE CONSULTING WITH OTHER INTERESTED DELEGATIONS TO DEVELOP OUR IDEAS IN A FORM WHICH WE HOPE WILL RECEIVE WIDESPREAD SUPPORT. MY DELEGATION CONSEQUENTLY HAS WELCOMED THE DRAFT RESOLUTION WHICH HAS BEEN PUT FORWARD BY THE DUTCH DELEGATION WITH OTHER CO-SPONSORS, INCLUDING THE UNITED STATES. THIS RESOLUTION CONTAINS A NUMBER OF REQUESTS TO OTHER ORGANS TO CARRY FORWARD THE WORK IN LIMITED OFFICIAL USE

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DEALING WITH THE TORTURE PROBLEM.

WE NOTE PARTICULARLY THE REQUEST ADDRESSED TO THE COMMISSION ON HUMAN RIGHTS IN OPERATIVE PARAGRAPH 2. THE DRAFT RESOLUTION IS EVIDENCE THAT OUR TASK IS NOT FINISHED AND THAT MUCH REMAINS TO BE DONE. WE HOPE THAT IN THE INTERVENING YEAR MORE PROGRESS CAN BE REGISTERED BY THE OTHER ORGANS WHICH ARE MENTIONED IN THE DRAFT

RESOLUTION, INCLUDING ESPECIALLY THE SUBCOMMISSION ON
PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES,
SO THAT WHEN THE ASSEMBLY NEXT TAKES UP THIS QUESTION AT
ITS 31ST SESSION WE WILL BE IN A POSITION TO DECIDE UPON
FURTHER MEASURES TO COMBAT THE EVIL OF TORTURE. KISSINGER

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